

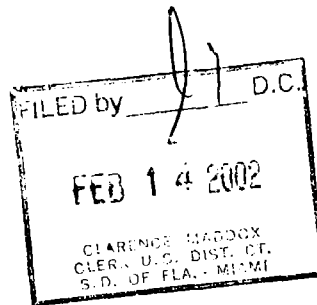
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6309-CR-SEITZ

UNITED STATES OF AMERICA,

v.

FRED MORGENSTERN, DAVID
MORGENSTERN, JOSEPH SILVESTRI,
FREDERICK SCAROLA, CHARLES
CLAY, MARK WEISS, JOSEPH RUSSO,
and DOREEN RUSSO,



ORDER CONTINUING TRIAL

This matter came before the Court for Status Conference on February 6, 2002. The Court has considered David Morgenstern's Motion for Continuance (DE #826) due to his medical condition and to enable new defense counsel to complete discovery; Charles Clay's Motion for Additional Time (DE #848) for his trial counsel to complete the trial in Case No. 00-6211-CR-HURLEY; Joseph Silvestri's Motion for Continuance (DE #828) to complete discovery; and Frederick Scarola's Motion for Continuance or Alternatively Motion to Sever (DE #823). The Court having reviewed the motions, heard representations of counsel, and being otherwise fully advised, it is

ORDERED that the Motions for Continuance are GRANTED. This matter is reset for trial before **The Honorable William P. Dimitrouleas on May 6, 2002**, with calendar call on **May 3, 2002, at 9:00 a.m.** *All Defendants who have not entered a plea before the undersigned by March 1, 2002, will be transferred to Judge Dimitrouleas for all further proceedings.* It is further

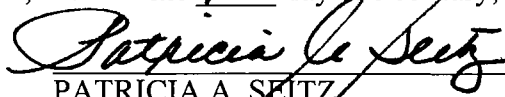
ORDERED that the period from the date of this order to the time of trial shall be deemed excludable in computing the time within which the trial of this case must commence pursuant to

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Title 18, U.S.C, §3161(h)(8)(A). This Court finds that the ends of justice served by continuing the trial outweigh the best interest of the public and the defendants in a speedy trial. It is further

ORDERED that Scarola's Motion to Sever is DENIED.

DONE AND ORDERED in Miami, Florida this 14th day of February, 2002.


PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

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